IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 22ND SEPTEMBER 2006 / 31ST BHADRA 1928

Bail Appl..No. 5563 of 2006

CRMP.1644/2006 of J.M.F.C.,PERAMBRA
CRIME NO.346/2006 OF PERAMBRA POLICE STATION

.....

PETITIONERS/ACCUSED NO.1,2,3,4,5,7&9

---

1. JOBY KK, AGED 30 YEARS,
   S/O.BHASKARAN, KOROTH HOUSE, KALPATUR AMSOM
   DESOM, VALYAKKOD, KOZHIKODE.

2. BIJU KM, AGED 30 YEARS,
   S/O.PARAYI, KIZHAKKUDUKKSYIL MEETHAL HOUSE,
   KALPATUR AMSOM, VALAYAKKOD DESOM, KOZHIKODE.

3. SHAMEEM, AGED 20YEARS, S/O.MOIDY,
   PUTHUKKUDI HOUSE, KALPATUR AMSOM, VALYAKKOD DESOM
   KOZHIKODE.

4. BIJU KUMAR PP, AGED 29 YEARS, S/O CHOYI,
   PANAPARAMBATHU HOUUSE, KALPATUR AMSOM, VALYAKKOD
   DESOM, KOZHIKODE.

5. MAJEED, AGED 24 YEARS, S/O BIYATHUMMA,
   PANCHIKUNUMMEL THAZHAKUNI HOUSE, KALPATUR AMSOM,
   VALYAKKOD DESOM, KOZHIKODE.

6. RAYEES, AGED 19 YEARS, S/O PAKARAN,
   PUTHUKUDI HOUSE, KALPATUR AMSOM, VALYAKKOD DESOM,
   KOZHIKODE.

7. ABHILASH K, AGED 28 YEARS,
   S/O.BALAN NAIR, KUNNUMMAL HOUSE, KALPATUR AMSOM,
   VALYAKKOD DESOM, KOZHIKODE.

BY ADV. SRI.NIDHI BALACHANDRAN

RESPONDENTS: COMPLAINANTS

---

1. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
PERAMBRA.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5563/2006

DATED THIS THE 22ND DAY OF SEPTEMBER, 2006

O R D E R

The petitioners are accused 1 to 5 and 7 & 9 in crime No.346/2006 of Perambra Police Station, for the offence punishable under Sections 143, 147, 148, 341, 326 and 307 IPC read with Section 149 IPC.

2. It is alleged that the petitioners had unlawfully assembled with dangerous weapons and committed rioting and attempted to murder the brother of the defacto complainant on 5.8.2006 at 4.00 a.m. The accused 1, 4 and 9 were arrested on 21.8.2006 and accused 2, 3, 5 and 7 were arrested on 22.8.2006. They remains in judicial custody, thereafter. The brother of the defacto complainant sustained various injuries, including fracture on the right thigh bone. Now the petitioners are before this Court, under Section 439 Cr.P.C.

3. After hearing both sides and considering the materials that are placed before me, I grant bail and

release the petitioners from jail, subject to the following conditions:-

(a). Each petitioner shall execute a bond for Rs.20,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-I, Perambra.

(b). The petitioners shall report before the Investigating Officer, once in a week, on every Wednesday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 27.9.2006.

(c). The petitioners shall not leave the State of Kerala, till the final trial and disposal of the Sessions Case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs